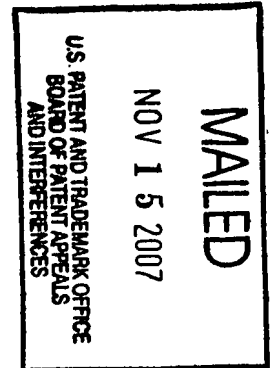


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KLAUS KEHRLE and ANDRE STORK

Application No. 09/747,678



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on November 3, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

INFORMATION DISCLOSURE STATEMENT

In addition, an Information Disclosure Statements (IDSs) were filed on October 7, 2004 and March 28, 2005. It is not apparent from the record whether the Examiner considered the statement submitted or notified Appellants regarding why their submission did not meet the criteria set forth in 37 CFR §§1.97 and 1.98.


A communication notifying Appellants of the Primary Examiner's decision is required.

Application 09/747,678

Accordingly, it is **ORDERED** that the application is returned
to the Examiner to:

- 1) consider the IDS filed October 7, 2004 and March 28, 2005, with
appropriate notification to Appellants regarding the Primary Examiner's
decision; and,
- 2) for such further action as may be deemed appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



PATRICK J. NOLAN

Deputy Chief Appeals Administrator
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